

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Kimball Area Public Schools,  
Independent School District No. 739,

Civil Case No. 23-CV-02637 (NEB/LIB)

Plaintiff/ Counterclaim Defendant,

v.

I.R.M., by and through his Parent,  
L.M.,

**PROPOSED  
ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
JUDGMENT ON THE  
ADMINISTRATIVE RECORD**

Defendants/ Counterclaim  
Plaintiffs.

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The above-entitled matter came before the Honorable Nancy E. Brasel at 10:00 a.m. on Wednesday, June 26, 2024, in Courtroom 13W at the United States District Court, 300 South Fourth Street, Minneapolis, MN 55415, for hearing on Plaintiff Kimball Area Public Schools' motion for Judgment on the Administrative Record. Elizabeth J. Vieira, Esq., and William M. Seiler, Esq., appeared on behalf of Plaintiff. Jason Schellack, Esq., appeared on behalf of the Defendants.

Based upon the files, records, and proceedings herein, it is hereby ordered:

1. Plaintiff's Motion for Judgment on the Administrative Record is granted.
2. The Amended Order of the Administrative Law Judge in OAH Docket No. 8-1300-39140 and OAH Docket No. 8-1300-39157 dated July 14, 2023 is reversed with respect to its conclusions requiring the School District to provide support for I.R.M.'s Autism Assistance dog as part of I.R.M.'s

Individualized Education Program and requiring I.R.M. to attend a shortened school day.

3. The District is directed to immediately implement the IEP proposed on February 16, 2023.
4. Plaintiff/ Counterclaim Defendant shall be deemed the prevailing party with respect to all claims asserted in OAH Docket No. 8-1300-39140 and OAH Docket No. 8-1300-39157.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

BY THE COURT:

Dated: \_\_\_\_\_

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Nancy E. Brasel  
U.S. District Court Judge